



City of Madison Proceedings - Final COMMON COUNCIL

City of Madison
Madison, WI 53703
www.cityofmadison.com

Tuesday, May 16, 2006

6:30 PM

210 Martin Luther King, Jr. Blvd.
Room 201 (City-County Building)

SPEAKING GUIDELINES

If you need an interpreter, materials in alternate formats or other accommodations, please contact the Office of the Common Council at 266-4071, TTY 267-8670. Please do so 48 hours prior to the meeting so that proper arrangements can be made.

Speaking Limits: Public Hearing - 5 Minutes, Information Hearing - 5 Minutes,
Other Items - 3 minutes

You must register before your item is considered by the Council.

The consent agenda will be considered following Public Hearings.

The use of audible cell phone ringers and active use and response to cellular phone technology by the governing body, staff and members of the public is discouraged in the Council Chambers while the Council is in session.

NOTIFIED ABSENCES: Ald. Golden

**Roll Call at 6:32 p.m., Mayor Cieslewicz in the chair. Late: Ald. Cnare (6:55 p.m.);
Ald. Compton (6:40 p.m.)**

Present: Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkell, Gruber,
Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer,
Radomski, Webber and David J. Cieslewicz

Excused: Golden

SUSPEND THE RULES

Suspend Rules 2.04 (order of business), 2.05 (introduction of business), 2.24 (ordinances),
and 2.25 (resolutions) for items so designated on the agenda.

**A motion was made by Council President King, seconded by Ald. Verveer, to
Suspend the Rules. The motion passed by acclamation.**

SPECIAL ORDER OF BUSINESS

1. [03421](#) Commending Larry D. Nelson, City Engineer, on his selection as a recipient of the 2006 Top Ten Public Works Leader of the Year Award, as awarded by the American Public Works Association.
1 Registrant(s) in support wishing to speak.
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00403

2. [03649](#) Congratulating Mary Brockert on her retirement after 27 years with the City of Madison.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00404

CONFIRMATION HEARING

3. [03477](#) Submitting the name of Diane Hermann-Brown for confirmation of a five-year term as City Clerk.
Adopt at the 6/6/06 Common Council Meeting.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Refer to a future Meeting to Adopt for June 6, 2006 1 Registrant(s) in opposition wishing to speak; 3 Registrant(s) in opposition not wishing to speak. The motion passed by acclamation.

PETITIONS AND COMMUNICATIONS

BUSINESS BY THE MAYOR

4. [03530](#) Board of Assessor Appointments dated April 11, 2006.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Confirm. The motion passed by acclamation.

5. [03613](#) Report of the Mayor submitting alder committee appointments.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Confirm. The motion passed by acclamation.

6. [03617](#) Report of the Mayor submitting citizen committee appointments (introduced 5-16-06; action 6-6-06)
Confirm at the 6/6/06 Common Council Meeting (2/3 vote required for MDC Bd. of Directors appointment)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Refer to a future Meeting to Confirm for June 6, 2006. The motion passed by acclamation.
7. [03661](#) Report of the Mayor designating emergency interim successors.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL

8. [03689](#) To authorize the Mayor and City Clerk to execute an Agreement with Coca-Cola Bottling Company of Wisconsin to provide soft drink and vending services at the Irwin and Robert Goodman Community Pool and all of the City of Madison Parks operations under the management of the Parks Division except Olbrich Botanical Gardens, Warner Park Community Recreation Center, and the Monona, Glenway, Odana Hills and Yahara Hills Golf Courses, further excepting any non-city entity reserving any city park for one year beginning in June 2006 and may be extended for up to three (3) additional one-year periods.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00405
9. [03698](#) Authorizing the Mayor and City Clerk to execute a one-year contract with Capital Newspapers for publication services.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00406
10. [03708](#) Approving a contract with Midwest Alarm Services, Inc for installation of fire alarm and detection systems in five fire stations.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00407

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

11. [02720](#) Creating Section 28.06(2)(a)3161. of the Madison General Ordinances rezoning property from Temp A Agriculture District, C2 General Commercial District and C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3162. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish 4 Commercial Buildings, 1 Apartment Building, 1 Private Clubhouse, & Build 4-Story, 91,665 Square Foot Retail & Office Building; 14th Aldermanic District: 2810-2818 Todd Drive & 2703-2805 West Beltline.

Public Hearing Recessed. Adopt at the 6/6/06 Common Council Meeting.

A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on June 6, 2006. The motion passed by acclamation.

12. [02871](#) Creating Section 28.06(2)(a)3163. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3164. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish Shopping Center and Build 12-Story Mixed Use Building with 134,000 Square Feet Retail, 71,000 Square Feet Offices, 97,000 Square Feet Health Center, 62,000 Square Feet Activity Center and 350 Dwelling Units; 8th Aldermanic District: 700 Block University Avenue.

3 Registrant(s) in support not wishing to speak.

A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt and Close the Public Hearing. The motion passed by the following vote:

Excused: 1 - Golden

Recused: 1 - Radomski

Aye: 18 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer and Webber

No: 0 -

Non Voting: 1 - Cieslewicz

Enactment No: ORD-06-00062

REPORT OF ALCOHOL REVIEW COMMITTEE

13. [03186](#) Public Hearing - New License
Shopko Stores Operating Co., LLC • dba Shopko #029 • Agent: James Voigt
7401 Mineral Point Road • Class A Liquor, Class A Beer

1 Registrant(s) in support not wishing to speak.

A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.

14. [03239](#) Public Hearing - New License
Grandview Commons Restaurant Partners LLC • dba Cloud 9 Grille
876 Jupiter Drive • Agent: Karl Wirag • estimated capacity of 320
Class B Combination Liquor & Beer • 40% alcohol, 60% food
1 Registrant(s) in opposition wishing to speak.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
15. [03255](#) Public Hearing - New License
Fresco, LLC • dba Fresco • estimated capacity of 2,313
227 State Street • Agent: Richard Duarte
Class B Combination Liquor & Beer • 15% alcohol, 85% food
A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
16. [03259](#) Public Hearing - New License
Troy D. Burmesch • dba Warehouse Liquors
2929 E. Washington Avenue
Class A Liquor, Class A Beer
A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
17. [03273](#) Public Hearing - New License
Adrian Bajrami • dba Casa Bianca • estimated capacity of 100
515 Junction Road, Suite F
Class B Beer, Class C Wine • 5% alcohol, 95% food
A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
18. [03274](#) Public Hearing - New License
Papavero, LLC • dba Osteria Papavero • estimated capacity of 50
128 E. Wilson Street • Agent: Brian Haltinner
Class B Combination Liquor & Beer • 25% alcohol, 75% food
A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
19. [03292](#) Public Hearing - New License
Happy Valley Corporation • dba Flat Top Grill • estimated capacity of 101
702 N. Midvale • Agent: Edgar C. Barker, Jr.
Class B Combination Liquor & Beer • 20% alcohol, 80% food
A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.

20. [03300](#)

Public Hearing - New License

The Family Business, LLC • dba Candessence • estimated capacity of 42

1821 S. Park Street • Agent: Roderick V. Flowers

Class B Combination Liquor & Beer • 70% alcohol, 30% food

NOTE: AN ENVIRONMENTAL IMPACT STUDY REPORT HAS BEEN REQUESTED FROM THE TRAFFIC ENGINEER BY THE COMMON COUNCIL.

4 Registrant(s) in opposition wishing to speak; 3 Registrant(s) in support not wishing to speak; 2 Registrant(s) in opposition not wishing to speak.

A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.

REPORT OF CITY ENGINEER

21. [02863](#) Approving Plans, Specifications, And Schedule Of Assessments For Rolfsmeyer Drive Sanitary Sewer Assessment District. (14th AD)
1 Registrant(s) in opposition wishing to speak.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Brandon, to Adopt and Close the Public Hearing including the recommendations included in the City Engineer's report. The motion passed by acclamation.**
- Enactment No:** RES-06-00408

REPORT OF PLAN COMMISSION

22. [02453](#) Creating Section 28.06(2)(a)3154. of the Madison General Ordinances rezoning property from Temp A Agriculture District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Two Hotels & 16,000 Square Feet Retail (Future Development); 9th Aldermanic District: 8102 Watts Road.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Van Rooy, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-06-00063

PUBLIC HEARINGS - BEGIN AT 6:45 PM**REPORT OF BOARD OF PUBLIC WORKS**

23. [03514](#) Approving Plans, Specifications, And Schedule Of Assessments For Vilas Avenue Street Assessment District - 2006. (13th AD)
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Brandon, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00409
24. [03516](#) Approving Plans, Specifications, And Schedule Of Assessments For Hoard Street, Upham Street, and Seventh Street Reconstruction Street Assessment District - 2006. (12th AD)
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Brandon, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00410

REPORT OF PLAN COMMISSION

25. [03279](#) Creating Section 28.06(2)(a)3178. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3179. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: 13,200 Square Foot Building with Restaurant, Outdoor Eating Area & Retail Space; 11th Aldermanic District: 702 North Midvale Boulevard.
- 1 Registrant(s) in support wishing to speak.*
- A motion was made by Ald. Konkell, seconded by Ald. Brandon, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-06-00064
26. [03280](#) Creating Section 28.06(2)(a)3180. of the Madison General Ordinances rezoning property from C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3181. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Bank With Drive-Up Teller Window & Future Retail/Office Space; 9th Aldermanic District: 8240 Mineral Point Road.
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Ald. Konkell, seconded by Ald. Brandon, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-06-00065
27. [03281](#) Creating Section 28.06(2)(a)3182. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R1 Single-Family Residence District, creating Section 28.06(2)(a)3183. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R2T Single-Family Residence District, and creating Section 28.06(2)(a)3184. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R4 General Residence District. Proposed Use: 76 Single-Family Lots, 2 Multi-Family Lots & 6 Outlots; 1st Aldermanic District: 3120-3160 Jeffy Trail.
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Knox, Jr., to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-06-00066

28. [03304](#) Creating Section 28.06(2)(a)3177. of the Madison General Ordinances rezoning property from Temp A Agriculture to M1 Limited Manufacturing District. Proposed Use: Existing Concrete Mixing Plant & Contractor's Office; 3rd Aldermanic District: 5622 Milwaukee Street.
2 Registrant(s) in support not wishing to speak.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Knox, Jr., to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-06-00067

REPORT OF STREET USE STAFF TEAM

THE COMMON COUNCIL HAS REQUESTED A RECYCLING PLAN FOR ALL OF THE STREET USE STAFF TEAM REPORT ITEMS TO BE SUBMITTED BY THE APPLICANTS AND APPROVED BY THE MADISON RECYCLING COORDINATOR, GEORGE DRECKMANN, THE DOWNTOWN COORDINATING COMMITTEE AND COMMISSION ON THE ENVIRONMENT.

29. [03220](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on June 3, 2006 during the 26th Anniversary COWS ON THE CONCOURSE and authorizing the Dane County Dairy Promotion Committee, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 10 blocks of E. & W. Main St. and the 100 & 200 blocks of Martin Luther King, Jr. Blvd.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00411
30. [03222](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on June 10, 2005 during Safety Saturday and authorizing the Madison Fire Department, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 10 blocks of E. & W. Main St., the 10 block of S. Pinckney and the 100 & 200 blocks of Martin Luther King, Jr. Blvd.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00412
31. [03223](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions on June 28, July 5, 12, 19, 26, and August 2, 2006 (rain dates June 29, July 6, 13, 20, 27 and August 3, 2006) from 3:00 p.m. to 11:59 p.m. during the CONCERTS ON THE SQUARE and authorizing the Wisconsin Chamber Orchestra, as sponsor of the special event, to select vendors and vending sites for the duration of this special event on the 10 blocks of E. & W Mifflin St. and N. & S. Pinckney and the 100 blocks of E. Washington and Wisconsin Ave.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00413

32. [03224](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE Mall/Concourse vending licenses from 6:00 p.m. July 7 to 9:00 p.m. July 9, 2006 in the areas specified below for the benefit of the Madison Museum of Contemporary Art, so that the 48th Annual ART FAIR ON THE SQUARE may occur.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00414
33. [03225](#) To authorize the Madison Museum of Contemporary Art, as sponsor of the 48th Annual ART FAIR ON THE SQUARE, EXCLUSIVE RIGHTS to select vendors, salespersons, vending sites and performers for the duration of this special event, 6:00 p.m. July 7 to 9:00 p.m. July 9, 2006, within the perimeter of the area, defined in the companion resolution, involved in the event.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00415
34. [03226](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE certain Mall/Concourse vending licenses from 6:00 p.m. July 7, to 9:00 p.m. July 9, 2006 on the 200 block of Martin Luther King, Jr. Blvd. for the benefit of WI Alliance of Artists & Craftspeople, so that ART FAIR OFF THE SQUARE may occur.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00416
35. [03227](#) To authorize the WI Alliance of Artists and Craftspeople, as sponsor of the ART FAIR OFF THE SQUARE, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of the ART FAIR OFF THE SQUARE, from 6:00 p.m. July 7 to 9:00 p.m. July 9, 2006 on the 200 block of Martin Luther King Jr. Blvd.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00417
36. [03228](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE Mall/Concourse vending licenses on July 14, 15 and 16, 2006 in the areas specified below for the benefit of the Greater State St. Business Association (GSSBA), so that MAXWELL ST. DAYS may occur.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00418

37. [03229](#) To authorize the Greater State Street Business Association (GSSBA), as sponsor of MAXWELL ST. DAYS, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of MAXWELL ST. DAYS, July 14, 15 & 16, 2006, within the perimeter of the area involved in the event.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00419
38. [03230](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on August 10, 17, 24 and 31, 2005 during the Jazz @ 5 concert series and authorizing Jazz @ 5 Inc., as sponsor of the special event, to select vendors, vending sites and performers within the 100 block of State St. for the duration of the special event.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00420
39. [03231](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE certain Mall/Concourse vending licenses from 1:00 p.m. September 2, 2006 to 11:59 p.m. on September 3, 2006 in the areas specified below for the benefit of Madison Festivals Inc., so that TASTE OF MADISON may occur.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00421
40. [03232](#) To authorize Madison Festivals Inc., as sponsor of the TASTE OF MADISON, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of the TASTE OF MADISON, from 1:00 p.m. September 2, 2006 to 11:59 p.m. on September 3, 2006, within the perimeter of the area involved in the event.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00422
41. [03233](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions Saturday, September 16, 2006 during the Food for Thought Festival and authorizing the Dane County REAP Food Group, as sponsor of the event, to select vendors, vending sites and performers for the duration of the event on the 100 block of Martin Luther King, Jr. Blvd.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00423

END OF PUBLIC HEARINGS

At this time, the balance of the agenda which has not been acted upon will be moved with the recommended action listed for each items EXCEPT #85 & 99, Skidmore/Bruer: carry.

1) items which have registrants wishing to speak. 2) items which require an extraordinary (roll call) vote and are not included on the consent agenda by unanimous consent. 3) items which alderperson(s) have separated out for discussion/debate purposes.

REPORTS OF OFFICERS

REPORT OF BOARD OF ESTIMATES

42. [03432](#) Authorizing the issuance of a Request for Proposals for the development of a Housing Revitalization Strategy for the Badger-Ann-Magnolia area, the use of up to \$50,000 of Capital budget funds for the study, and authorizing the Mayor and City Clerk to sign an agreement to secure the study.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00424
43. [03461](#) Authorizing the Mayor and City Clerk to execute a Labor Agreement between the City of Madison and Local 236, L.I.U.N.A., AFL-CIO, for the period of January 1, 2006 through December 31, 2007 and amending the 2006 Operating Budget to appropriate the funds associated with wage and benefit costs.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00425
44. [03464](#) Adopting the final version of the Town of Blooming Grove and City of Madison Cooperative Plan Under Section 66.0307, Wisconsin Statutes, authorizing the Mayor and City Clerk to execute the Plan and directing the City Attorney to submit the Plan to the State of Wisconsin Department of Administration for approval.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00426
45. [03466](#) Amending the 2006 Public Health Operating Budget to receive a grant for HIV prevention.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00427

46. [03471](#) That the vacant position #1070 of Engineering Program Specialist 2 in Compensation Group 16, Range 19, in the permanent salary detail of the Engineering Division budget is repealed and recreated as a position of Engineer 3 in Compensation Group 18, Range 10, thereof.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00428
47. [03472](#) That the position #1214 of Engineering Program Specialist 2 in Compensation Group 16, Range 19, occupied by J. Leach in the permanent salary detail of the Traffic Engineering Division budget is repealed and recreated as a position of Traffic Engineering Development Specialist in Compensation Group 16, Range 21, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00429
48. [03473](#) That the new vacant position tentatively identified as a Overture IT Coordinator in Compensation Group 18, Range 08, in the permanent salary detail of the Overture Center budget is repealed and recreated as a position of Overture Center Development Associate in Compensation Group 18, Range 04, thereof.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00430
49. [03474](#) That position #1442 of Program Assistant 1, in Compensation Group 20, Range 11, (occupied by P. Jorenby) in the permanent salary detail of the Parks Division budget is repealed and recreated as a Program Assistant 2 in Compensation Group 20, Range 12, thereof. Be it further resolved that the incumbent shall be reallocated to the said position.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00431
50. [03475](#) That the vacant position #675 of Administrative Clerk 1, Compensation Group 20, Range 09, in the permanent salary detail of the Inspection Unit budget is repealed and recreated as a position of Clerk Typist 2 in Compensation Group 20, Range 06, thereof.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00432

51. [03482](#) That position #1636 of Maintenance and Repair Coordinator, in Compensation Group 18, Range 04, (occupied by K. Hansen) in the permanent salary detail of the Streets Division budget is repealed and recreated as a Public Works General Foreperson in Compensation Group 18, Range 07, thereof. Be it further resolved that the former position will not be deleted until vacated.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00433
52. [03489](#) That the vacant position #774 of Accountant 2 in Compensation Group 18, Range 08, in the permanent salary detail of the Comptroller's Office budget is repealed and recreated as a position of Administrative Analyst 2 in Compensation Group 18, Range 08, thereof.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00434
53. [03494](#) That the position #1198 of City Traffic Engineer in Compensation Group 21, Range 21, (occupied by D. Dryer) in the permanent salary detail of the Traffic Engineering budget is repealed and recreated as a position of City Traffic Engineer and Parking Manager in Compensation Group 21, Range 21, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00435
54. [03495](#) That the vacant positions of Clerk-Treasurer in Compensation Group 21, Range 16; Treasury Operations Manager in Compensation Group 18, Range 12; and Clerk's Officer Supervisor in Compensation Group 18, Range 08, in the permanent salary detail of the Clerk-Treasurer's Office Budget are repealed and recreated as a position of City Clerk in Compensation Group 21, Range 15; a position of City Treasurer in Compensation Group 21, Range 15; and a position of Clerk's Office Coordinator in Compensation Group 18, Range 06, thereof. Further, said City Clerk and Clerk's Office Coordinator shall be established in the newly created Clerk's Office Department; and the position of City Treasurer shall be established in the newly created Treasurer's Office Department.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00436

55. [03513](#) CHARTER - Repealing and recreating Section 3.12 of the Madison General Ordinances to establish an office of City Treasurer, repealing Section 3.35(1)(jj) of the Madison General Ordinances to delete the title of City Clerk-Treasurer from the list of positions exempt from Civil Service, creating Section 3.13 of the Madison General Ordinances to establish an office of City Clerk, creating Sections 3.35(1)(jj) and (kk) to add the titles of City Clerk and City Treasurer to the list of positions exempt from Civil Service, and amending Section 3.38(6)(b) of the Madison General Ordinances to update the list of positions to be compensated as managerial employees.

A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by the following vote:

Excused: 1 - Golden

Aye: 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber

No: 0 -

Non Voting: 1 - Cieslewicz

Enactment No: CHA-06-00005

56. [03524](#) Amending Section 3.38 (1)(i)(2) of the Madison General Ordinances by deleting the class of City Clerk-Treasurer in Compensation Group 21, Range 16, and creating the classes of City Clerk and City Treasurer in Compensation Group 21, Range 15; and amending Section 3.38(1)(b) of said Ordinances by deleting the classes of Treasury Operations Manager in Compensation Group 18, Range 12, and Clerks Office Supervisor in Compensation Group 18, Range 08, and creating the class of Clerks Office Coordinator in Compensation Group 18, Range 06, thereof.

A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: ORD-06-00068

57. [03540](#) Accepting a \$7,750 check from the Downtown Madison Kiwanis Club for the Bright and Early early childhood education campaign.

A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: RES-06-00437

58. [03543](#) AMENDED SUBSTITUTE - Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$3,000,000 Tax Incremental Finance Loan to University Square, LLC ~~and its assigns~~ to assist in the development of the University Square retail/commercial redevelopment project located on Lake Street between Johnson Street and University Avenue to be located in a proposed boundary amendment to TID #32 (Upper State Street).

A motion was made by Council President King, seconded by Ald. Verveer, to Adopt With Amendment(s) as follows: Adopt substitute & change all instances of 2008 to 2007. The motion passed by acclamation.

Enactment No: RES-06-00471

59. [03546](#) Authorizing the Mayor and City Clerk to execute a Third Amendment to Project Lease with Block 89 Parking Limited Partnership and disburse \$1,235,000 to the Bond trustee in full satisfaction of the TID 15 increment credit.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00438
60. [03547](#) Adopting and confirming the Labor Agreement between the City of Madison and Local 236, LIUNA, AFL-CIO from January 1, 2006 to December 31, 2007.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00069
61. [03548](#) Amending Section 3.38 (1)(b) of the Madison General Ordinances by creating the classification of Overture Center Development Associate in Compensation Group 18, Range 04, thereof.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00070
62. [03549](#) Amending Section 3.38 (1)(c) of the Madison General Ordinances by creating the classification of Traffic Engineering Development Specialist in Compensation Group 16, Range 21, thereof.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00071
63. [03550](#) Amending Section 3.38 (1)(b) of the Madison General Ordinances by deleting the classification of Maintenance and Repair Coordinator in Compensation Group 18, Range 04, when vacated.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00072
64. [03551](#) Amending Section 3.38 (1)(i)2. of the Madison General Ordinances by deleting the classification of City Traffic Engineer in Compensation Group 21, Range 21, and creating the classification of City Traffic Engineer and Parking Manager in Compensation Group 21, Range 21, thereof.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00073

65. [03590](#) Authorizing the Mayor and City Clerk to enter into agreements with Waldbillig & Besteman, Inc., for \$38,000, to provide communications and community outreach services, as part of the Allied Revitalization Plan.
Adopt at te 6/6/06 Common Council Meeting.

A motion was made by Ald. Brandon, seconded by Ald. Konkel, to Refer to a future Meeting to Adopt for June 6, 2006. The motion passed by acclamation.

REPORT OF BOARD OF PARK COMMISSIONERS

66. [03360](#) Authorizing the Mayor and City Clerk to execute a lease with Dennis Acker for four tracts of City-owned land comprising approximately 22 acres. 3rd Ald. Dist.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: RES-06-00439

67. [03424](#) Authorizing the execution of a Permanent Limited Easement for radio tower guy wire anchors to Northwestern College Radio on a City-owned property located at 7022 Raymond Road. 1st Ald. Dist.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: RES-06-00440

REPORT OF BOARD OF PUBLIC WORKS

68. [03284](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests, from Lots 41 and 62, Hawk's Landing Golf Club, required to facilitate public sanitary sewer improvements, per Hawk's Ridge Estates Sanitary Sewer Assessment District, to allow the connection of proposed new public sanitary sewer for proposed "Hawk's Ridge Estates" to the existing public sanitary sewer located in the "Hawk's Landing Golf Club" subdivision being part of the Southwest ¼ of the Southwest ¼ of Section 34, Town 07 North, Range 08 East, City of Madison, Dane County, Wisconsin. (1st AD)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: RES-06-00441

69. [03287](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of additional Plat of land interests required to facilitate improvements for a public bike path, public sanitary sewer and public storm water drainage construction along the South side of existing Soo Line Railroad right-of-way from Interstate Highway 39/90/94 East to City View, located in that part of the Southeast ¼, lying East of said Interstate Highway 39/90/94, of Section 27, Town 8 North, Range 10 East, City of Madison, Dane County, Wisconsin. (17th AD)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: RES-06-00442

70. [03302](#) Determining a Public Purpose and necessity and adopting Transportation Project Plat (TPP) No: 53W0348-4.01 for the City of Madison Real Estate Department to acquire Parcel 1 and Parcel 2 rights as identified on said TPP, to facilitate the planned public street improvements included in the East Washington to Darbo Frontage Road project and authorizing the Mayor and City Clerk to sign all necessary documents necessary to accomplish the land interest acquisitions and disposals. (15th AD)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00443
71. [03420](#) Authorizing the Mayor and City Clerk to enter into an agreement with Engberg Anderson Design Partnership, Inc. to provide professional architectural and engineering design services for interior improvements at Sequoya Branch Library located on Midvale Blvd. (11th AD)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00444
72. [03453](#) Ordering Property Owners to Install Sidewalk in the 14th Aldermanic District. (14th AD)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00445
73. [03454](#) Ordering Property Owners to Install Sidewalk in the 16th Aldermanic District. (16th AD)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00446
74. [03455](#) Ordering Property Owners to Install Sidewalk in the 12th Aldermanic District. (12th AD)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00447
75. [03493](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Stone Crest Estates - Phase IV. (1st AD)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00448
76. [03538](#) Awarding Public Works Contracts for bids Opened April 28, 2006.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00449

77. [03545](#) Approving plans and specifications for public improvements required to serve Phase 15 of the Subdivision known as Grandview Commons and authorizing construction to be undertaken by the Developer, Private Contract No. 2085. (3rd AD)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00450
78. [03557](#) Improvements accepted for Regent Street Curb & Gutter in Conjunction with Resurfacing Assessment District - 2001, Contract No. 5337. (Various ADs)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00451
79. [03558](#) Declaring the City of Madison's intention to exercise its police powers establishing the Valley View Road Street Assessment District-2006. (1st & 9th ADs)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00452
80. [03560](#) Authorizing the Mayor and City Clerk to execute Addendum No. 3 to the Contract for Professional Services with Strand Associates Inc. to review/study the condition of the Lake Wingra Dam. (15th & 6th ADs)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00453
81. [03579](#) Improvements accepted for Hughes Place Street Assessment District - 2003, Contract No. 5530. (14th AD)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00454
82. [03580](#) Improvements accepted for Wingra Drive Sanitary Sewer Replacement, Contract No. 5537. (13th AD)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00455
83. [03589](#) Improvements accepted for N. Patterson Street, N. Livingston Street, Washburn Place, and Prospect Place Reconstruction Assessment District - 2003, Contract No. 5503. (2nd AD)
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00456

REPORT OF COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION

84. [03426](#) Recommending the selection of portions of census tract 4.04 and 5.01 (Southwest) as the focus for a concentrated neighborhood planning process and the appointment of a steering committee of residents and business representatives to help develop a neighborhood plan for the area.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00457

REPORT OF EQUAL OPPORTUNITIES COMMISSION - Begins at the top of the next page

85. [02077](#) SECOND SUBSTITUTE - Creating Section 3.57 entitled "Mandatory Minimum Sick Leave" of the Madison General Ordinances to require employers in the City of Madison to provide sick leave benefits to employees.
- Suspend Rules to allow speakers with children to speak first, Benford/Konkel.*
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt With Amendment(s) as follows: change "five (5) or more employees" to "fifteen (15) or more employees" in (2) (d); change "at least eighteen (18) hours per week" to "at least twenty-four (24) hours per week" in (3) (a) 2. Accural; change the effective date of "January 1, 2007" to "January 1, 2008" in (12). The motion failed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 9 - Benford, King, Konkel, Gruber, Olson, Knox, Jr., Palm, Verveer and Webber
- No:** 10 - Sanborn, Brandon, Bruer, Cnare, Compton, Rosas, Skidmore, Thomas, Van Rooy and Radomski
- Non Voting:** 1 - Cieslewicz

RECESS

A motion was made by Council President King, seconded by Ald. Verveer, to Take A Recess at 1:47 a.m. The motion passed by acclamation.

Roll Call at 2:00 a.m., Mayor Cieslewicz in the Chair.

REPORT OF PERSONNEL BOARD

86. [02553](#) FOURTH SUBSTITUTE - Amending Section 3.36(11) of the Madison General Ordinances to modify the pay differential and leave accumulation for employees on military leave.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00074

REPORT OF PLAN COMMISSION

87. [03361](#) Authorizing the Common Council to accept ownership of a neighborhood sign from the Sunset Village Community Association. 11th Ald. Dist.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00458
88. [03483](#) Approving the preliminary plat of "Badger Mill Creek" located at 3120-3160 Jeffy Trail. 1st Ald. Dist.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00459
89. [03668](#) Approving a Certified Survey Map of property owned by Charles B. & Nancy L. Deadman located at 2220 Daniels Street. 16th Ald. Dist.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00460
90. [03669](#) Approving a Certified Survey Map of property owned by Operation Fresh Start, Inc. located at 100 Morningside Avenue. 15th Ald. Dist.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00461
91. [03670](#) Approving a Certified Survey Map of property owned by Broadway Lake Point, LLC located at 1513 Lake Point Drive. 14th Ald. Dist.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00462
92. [03671](#) Approving a Certified Survey Map of property owned by WCB Properties, LLC located at 8240 Mineral Point Road at Junction Road. 9th Ald. Dist.
A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00463
93. [03672](#) Approving a Certified Survey Map of property owned by PeterScott, LLC located at 5402 Whitcomb Drive. 20th Ald. Dist.
A motion was made by Ald. Bruer, seconded by President Pro Tem Skidmore, to Refer to the Planning Unit. The motion passed by acclamation.

94. [03673](#) Approving a Certified Survey Map of property owned by Premium Real Estate, LLC and DJK Real Estate, LLC located at 5802-5818 Gemini Drive, 770 North Star Drive, 5817 Halley Way and 733 Jupiter Drive. 3rd Ald. Dist.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00464
95. [03674](#) Approving a Certified Survey Map of property owned by Great Neighborhoods, Inc. and DJK Real Estate, LLC located at 5817 Gemini Drive, 802 North Star Drive and 841 Jupiter Drive. 3rd Ald. Dist.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00465

REPORT OF RISK MANAGER

96. [03440](#) J. Satkamp & E. Makward, 406 Merrill Crest Dr., Madison - property damage/property loss - \$4,541.00.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Deny. The motion passed by acclamation.**
97. [03567](#) NOTICE OF CLAIM - Stafford Rosenbaum, LLP for S.& D. Anderson, 2133 Lakeland , Madison - lost wages, medical bills, past/future pain, loss of enjoyment of life, society of companionship - \$66,303.04.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Deny. The motion passed by acclamation.**
98. [03568](#) P. Zentmire, 389 Alpine Meadow Circle, Oregon - vehicle damage - \$145.56.
- A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Deny. The motion passed by acclamation.**

REPORT OF TRANSIT/ PARKING COMMISSION

99. [03199](#) AMENDED SECOND SUBSTITUTE - Amending Sections 12.031(1) and (3), 12.761(2) and (3), 12.762, 12.138(3)(f), (5), (6), (7), (8)(a), 10(b) and (c), and 3.51(3), (9) and (10) to change references to "Parking Manager" or "Director of Transportation" to "City Traffic Engineer and Parking Manager", amending Section 12.132(522) and repealing Section 12.137(240) to accommodate new parking meter zones, amending Sections 12.142 and 12.1425 to implement rate increases for meter hoods and to update the meter hood procedure; amending Section 12.145 to clarify the expired meter parking violation, increase parking meter rates, and create a new violation of No Street Vending from a Parking Meter, amending Sections 1.08(3)(a) and 1.08(4) of the Madison General Ordinances to make an editorial correction, create a new bail deposit and authorize enforcement of the new violation, amending Sections 12.144, 12.146 and 12.147 to change references to "coins" to "payment", amending Section 12.1495 to update street locations listed in that parking meter zone, repealing Section 12.150 to eliminate obsolete language, amending Sections 12.1505, 12.151 and 12.1515 to add 25 minute parking to certain meter zones, amending various Subsections of Section 12.1515 to update street locations listed in that parking meter zone, creating Sections 12.1516, 12.1517 and 12.1518 to establish three new combination parking meter zones, and amending Section 12.152 to add new Section 12.1516, 12.1517 and 12.1518 to the list of applicable penalties.

A motion was made by Ald. Verveer, seconded by Council President King, to Adopt With Amendment(s) as follows: Section 12.03 would now read: City Traffic Engineer and Parking Manager. In addition to the duties provided in Section 3.51 (including the duties listed in sec 3.51(3) in the absence of a Director of Transportation) the City Traffic Engineer and Parking Manager or designee shall perform the duties provided in this section. When used in this Section or throughout this Chapter the title "Traffic Engineer" means the City Traffic Engineer and Parking Manager, or designee." The motion passed by acclamation.

Enactment No: ORD-06-00061

100. [03496](#) Authorizing the Mayor and City Clerk to enter into an agreement with Madison Area Technical College (MATC) for the continuation of provision of MATC-paid access by its students to Metro Transit fixed route and ADA paratransit services, with reimbursement to the transit utility for student trips for the period August 20, 2006 through August 18, 2007.

A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: RES-06-00466

101. [03497](#) Authorizing the Mayor and City Clerk to enter into an agreement with Edgewood College for the continuation of provision of Edgewood College-paid access by its students and employees to Metro Transit fixed route and ADA paratransit services, with reimbursement to the transit utility for student and employee trips for the period August 28, 2006 through May 18, 2007.

A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: RES-06-00467

102. [03502](#) Authorizing the Mayor and City Clerk to enter into agreement with Atlas Bus Sales for the purchase of up to sixteen (16) cutaway design transit coaches at an estimated cost of \$794,217.

A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: RES-06-00468

103. [03552](#) SUBSTITUTE - Authorizing the Mayor and City Clerk to enter into agreement with Gillig Corporation for the purchase of five (5) hybrid diesel-electric coaches at an estimated cost of \$2,500,000, and authorizing the Transit General Manager to accept the assignment of coaches from CityBus of Greater Lafayette.

A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: RES-06-00469

REFERRED TO THIS MEETING

APPOINTMENTS

104. [03517](#) Report of the Mayor submitting citizen committee appointments (introduced 5-2-2006; action 5-16-2006)

A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Confirm. The motion passed by acclamation.

RESOLUTIONS

105. [02806](#) SUBSTITUTE - Authorizing the adoption of amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to declare that locally produced or made CD's are ~~not~~ handcrafted goods for purposes of arts and crafts vending, to change the vehicle loading times for food carts on the Mall/Concourse and to require a 10-gallon minimum trash can for Mall/Concourse food vendors.

A motion was made by President Pro Tem Skidmore, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: RES-06-00470

106. [03333](#) Awarding Public Works Contracts for bids opened March 17, 2006, and March 31, 2006; and amending the 2006 Capital Budget for Pavement Management by \$495,946.

Reconsider, Brandon/Verveer: carry.

A motion was made by President Pro Tem Skidmore, seconded by Ald. Olson, to Adopt. The motion passed by the following vote:

Excused: 1 - Golden

Aye: 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkell, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber

No: 0 -

Non Voting: 1 - Cieslewicz

Enactment No: RES-06-00402

NEW BUSINESS - Referred on a motion made by Council President Pro Tem Skidmore, seconded by Ald. Verveer

ORDINANCES

107. [03684](#) Amending Section 1.10(2) of the Madison General Ordinances changing the age of a juvenile from 14 to 12.

Adopt at the 6/6/06 Common Council Meeting.

Refer to a future Meeting to Adopt

108. [03687](#) Repealing and recreating Section 24.08(3)(f) of the Madison General Ordinances to reduce the permitted hours of construction noise on Saturday and Sunday.

Refer to the BOARD OF PUBLIC WORKS

109. [03694](#) Creating Section 28.06(2)(a)3191. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: One 11-Unit and One 12-Unit Townhouse Condominium & Buildings; 16th Aldermanic District: 5817 & 5818 Gemini Drive.

Due back at the 6/20/06 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

110. [03695](#) Creating Section 28.06(2)(a)3189. of the Madison General Ordinances rezoning property from R4A Limited General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3190. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish House & Build New 2-Unit Condominium; 6th Aldermanic District: 1310 Jenifer Street.
Due back at the 6/20/06 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
111. [03697](#) Creating Section 28.06(2)(a)3187. of the Madison General Ordinances rezoning property from C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3188. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish Vacant Garage Building & Build 5-Story, 66-Unit Condominium; 2nd Aldermanic District: 627 East Mifflin Street.
Due back at the 6/20/06 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**

RESOLUTIONS

112. [03465](#) Authorizing the Mayor and the Director of the Department of Civil Rights to enter into a contract with the U.S. Equal Employment Opportunity Commission to provide complaint processing services.
- Refer to the BOARD OF ESTIMATES**
113. [03587](#) Authorizing the City to enter into an agreement to accept funds from Dane County to continue the Pedestrian-Bicycle Coordinator Program in the Traffic Engineering Division.
Additional Referral(s): Ped Bike Motor Vehicle Commission
- Refer to the BOARD OF ESTIMATES**
114. [03609](#) Authorizing the execution of a Utility Easement to Wisconsin Bell d/b/a AT&T Wisconsin across a City-owned property located at 1501 Droster Road. (16th AD)
Additional Referral(s): Plan Commission
- Refer to the BOARD OF PUBLIC WORKS**
115. [03610](#) Authorizing the execution of a First Amendment to Lease with Spring Properties LLC, et al., providing for a three-year extension of the lease of office space at 121 South Pinckney Street for the Madison Metropolitan Planning Organization.
- Refer to the BOARD OF ESTIMATES**

116. [03621](#) Determining a Public Purpose and necessity and adopting Transportation Project Plat No. 5992-08-04-4.01 and 5992-08-04-4.02 for the City of Madison and State of Wisconsin to acquire the required land interests for the Starkweather Creek Public Bike Path improvements and authorizing the Mayor and City Clerk to sign all necessary documents necessary to accomplish the acquisition of said land interests. (15th AD)
Additional Referral(s): Ped Bike Motor Vehicle Commission, Plan Commission
- Refer to the BOARD OF PUBLIC WORKS**
117. [03634](#) Authorizing the Mayor and City Clerk to enter into an agreement with the University of Wisconsin - Madison for the continuation of provision of UW-paid access by its employees to Metro Transit fixed route and ADA paratransit services, with reimbursement to the transit utility for UW and UW Hospital employee trips for the period September 1, 2006 through August 31, 2007.
Additional Referral(s): Board of Estimates
- Refer to the TRANSIT AND PARKING COMMISSION**
118. [03637](#) Accepting a grant if awarded from the Federal Emergency Management Agency, Department of Homeland Security (DHS).
- Refer to the BOARD OF ESTIMATES**
119. [03648](#) Amending the employment agreement with Transit General Manager Catherine Debo by extending the expiration date.
- Refer to the BOARD OF ESTIMATES**
120. [03650](#) Authorizing the Madison Department of Public Health to accept a grant for West Nile Virus Mosquito Assessment and Control from the State of Wisconsin Department of Health and Family Services-Division of Public Health, Bureau of Communicable Diseases for up to \$23,350 in 2006 and authorizing the Mayor and City Clerk to sign the grant agreement.
Additional Referral(s): Board of Health for Madison and Dane County
- Refer to the BOARD OF ESTIMATES**
121. [03651](#) Authorizing the Transit General Manager to file an application for a Section 5309 formula public transit capital grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.
Additional Referral(s): Board of Estimates
- Refer to the TRANSIT AND PARKING COMMISSION**

122. [03652](#) Authorizing the Transit General Manager to file an application for a Section 5307, public transit capital, capital maintenance, and capital planning grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

Additional Referral(s): Board of Estimates

Refer to the TRANSIT AND PARKING COMMISSION

123. [03655](#) Amending the 2006 Adopted Madison Water Utility Capital budget to reallocate funding among certain capital projects and awarding Public Works Contract No. 5929, Mifflin Street and Seventh Street Reconstruction Assessment District - 2006. (12 AD)

Additional Referral(s): Board of Water Commissioners. Due back at the 6/6/06 Common Council Meeting.

Refer to the BOARD OF ESTIMATES

124. [03662](#) Authorizing the Mayor and City Clerk to sign a contract with CTR Systems Parking, Inc. for maintenance of software and equipment for the Parking Utility revenue equipment.

Refer to the BOARD OF ESTIMATES

125. [03665](#) Authorizing the provision of HOME, HOME match, and EDI Workforce Housing funds to assist eligible buyers of Arboretum Co-housing and Habitat for Humanity of Dane County units in ways that address City Community and Neighborhood Development Objectives.

Refer to the BOARD OF ESTIMATES

126. [03667](#) Authorizing the Mayor, City Clerk and Chief of Police to accept the FY 2006 Edward Byrne Memorial Justice Assistance Grant award in the amount of \$112,046 and to utilize these funds to support several law enforcement initiatives.

Refer to the BOARD OF ESTIMATES

127. [03675](#) Approving the provision of \$100,000 in Federal HOME funds to assist Movin' Out acquire housing and authorizing the Mayor and City Clerk to sign an agreement to implement the project.

Refer to the BOARD OF ESTIMATES

128. [03676](#) Approving the Redevelopment Plan and District Boundary for the Allied Drive Redevelopment District. (10th AD)

Refer to the PLAN COMMISSION

129. [03677](#) Authorizing the Transit General Manager to file an application for a public transit capital grant with Wisconsin Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with WISDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

Additional Referral(s): Board of Estimates

Refer to the TRANSIT AND PARKING COMMISSION

130. [03678](#) Authorizing the Metro Transit General Manager to execute consignment agreements with various retail, employer and other establishments that wish to become official Metro Sales or Commuter Choice Outlets and maintain on-site inventories of Metro fare media for the purpose of sale to the public/employees or providing to employees as a work benefit.

Additional Referral(s): Board of Estimates

Refer to the TRANSIT AND PARKING COMMISSION

131. [03679](#) Authorizing the grant of a permanent limited easement and a temporary construction easement to American Transmission Company for an underground electric transmission line in a portion of the City's East Rail Corridor between East Washington Avenue and East Johnson Street. (2nd & 12th AD)

Additional Referral(s): Board of Park Commissioners, Ped Bike Motor Vehicle Commission, Plan Commission

Refer to the BOARD OF PUBLIC WORKS

132. [03680](#) Accepting ownership of the Capitol Square Fountains located at Carroll and West Washington Streets.

Refer to the MADISON ARTS COMMISSION

133. [03681](#) Authorizing the satisfaction of existing mortgages on Madison Development Corporation Mifflin Street properties, and the taking of a new mortgage on the same properties at a recalculated amount in order to facilitate the redevelopment of the property and the construction of additional affordable housing in ways that address City Community and Neighborhood Development Objectives.

Refer to the BOARD OF ESTIMATES

134. [03682](#) Authorizing the Mayor and the City Clerk to execute Contract for Purchase of Services between the City and General Engineering Company, Inc. for HOME-assisted Rental Unit Inspection Services.

Refer to the BOARD OF ESTIMATES

135. [03683](#) Amending Tax Incremental Finance (TIF) District #32 (Upper State Street) City of Madison and approving a Project Plan and Boundary Amendment for said TIF District. (4th AD)

Additional Referral(s): Plan Commission

Refer to the BOARD OF ESTIMATES

136. [03690](#) Vacating all remaining portions of platted Florence Street and Sullivan Street and portions of platted Winnebago Street being located in part of the Southeast ¼ of the Northeast ¼ and part of the Northeast ¼ of the Southeast 1/4 of Section 06, Town 07 North, Range 10 East, City of Madison, Dane County, Wisconsin. (6th AD)
Additional Referral(s): Plan Commission. Due back at the 7/11/06 Common Council Meeting.
Refer For Public Hearing to the BOARD OF PUBLIC WORKS

CLAIMS - REFER TO RISK MANAGER

137. [03714](#) E. Blume, 521 Elmside Blvd., Madison - vehicle damage - \$1,834.82.
138. [03715](#) J. & J. Brooks, 6814 Horseshoe Bend, Verona - property damage - \$393.16.

ADJOURNMENT

A motion was made by Council President King, seconded by Ald. Verveer, to Adjourn at 3:06 a.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on the 19th of May, 2006.

Ordinances published June 3rd, 2006.

MARIBETH WITZEL-BEHL, INTERIM CITY CLERK